

IBM Corporation

Intellectual Property Law Dept.
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 Yorktown Heights, NY 10598
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*Re-Fax***FACSIMILE** 10/085455

September 16, 2002 ✓

DATE: August 5, 2002 NO. OF PAGES TO FOLLOW: 10 ✓
11

TO: Saundra Ballenger
 NAME: Marian Day
 ADDRESS: US Patent Office

PHONE NO. 703 305-2868FAX NO. 703 746-6597**RECEIVED**

SEP 20 2002

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FROM: Douglas W. Cameron - Reg. No. 31,596
 NAME:

PHONE NO. (914) 945-3244

LOCATION: IBM Corporation - Intellectual Property Law Dept.
39-254
PO Box 218

CONTACT #: Yorktown Hgts., NY 10598

CLASSIFICATION: Ref.: Serial No. 10/085,455 - Our Docket No. JP920000420US1

IBM CONFIDENTIAL
 PERSONAL

IBM INTERNAL USE ONLY
 UNCLASSIFIED

MESSAGE: As requested, enclosed are copies of the 2 declarations and
2 assignments to IBM signed by the inventors.

Very truly yours,*Douglas W. Cameron*Douglas W. CameronReg. No. 31,596

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE.

*2 Declarations & 2 Assignments
 L. Tongen (914) 945-3265*



SEPTEMBER 06, 2002

PTAS

Under Secretary of Commerce For Intellectual Property and
 Director of the United States Patent and Trademark Office
 Washington, DC 20231
www.uspto.gov

IBM CORPORATION
 INTELLECTUAL PROPERTY LAW
 DOUGLAS W. CAMERON
 P.O. BOX 218
 YORKTOWN HEIGHTS, NY 10598



102150031A

UNITED STATES PATENT AND TRADEMARK OFFICE
 NOTICE OF NON-RECORDATION OF DOCUMENT

DOCUMENT ID NO.: 102150031

DUE 10/6/02

THE ENCLOSED DOCUMENT HAS BEEN EXAMINED AND FOUND NON-RECORDABLE BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. THE REASON(S) FOR NON-RECORDATION ARE STATED BELOW. DOCUMENTS BEING RESUBMITTED FOR RECORDATION MUST BE ACCCOMPANIED BY A NEW COVER SHEET REFLECTING THE CORRECT INFORMATION TO BE RECORDED AND THE DOCUMENT ID NUMBER REFERENCED ABOVE.

THE ORIGINAL DATE OF FILING OF THIS ASSIGNMENT DOCUMENT WILL BE MAINTAINED IF RESUBMITTED WITH THE APPROPRIATE CORRECTION(S) WITHIN 30 DAYS FROM THE DATE OF THIS NOTICE AS OUTLINED UNDER 37 CFR 3.51. THE RESUBMITTED DOCUMENT MUST INCLUDE A STAMP WITH THE OFFICIAL DATE OF RECEIPT UNDER 37 CFR 3. APPLICANTS MAY USE THE CERTIFIED PROCEDURES UNDER 37 CFR 1.8 OR 1.10 FOR RESUBMISSION OF THE RETURNED PAPERS, IF THEY DESIRE TO HAVE THE BENEFIT OF THE DATE OF DEPOSIT IN THE UNITED STATES POSTAL SERVICE.

SEND DOCUMENTS TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231. IF YOU HAVE ANY QUESTIONS REGARDING THIS NOTICE, YOU MAY CONTACT THE INDIVIDUAL WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.

1. EACH CONVEYING PARTY LISTED ON COVERSHEET MUST SIGN AND DATE ASSIGNMENT DOCUMENT.

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SEP 20 2002

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SAUNDRA BALLENGER, EXAMINER
 ASSIGNMENT DIVISION
 OFFICE OF PUBLIC RECORDS

2002 SEP 16 AM 9:22
 IBM
 Technology Center 2100
 LAW DEPT
 1213 JEFFERSON DAVIS HWY
 WASHINGTON, D.C. 20231

SUPPLEMENT RESPONSE TO FILE MISSING PARTS
Copy of Notice to File Missing Parts
Original Copy of Declaration and Assignment Signed
By John C. Whaley
Copies of Documents and Affidavit Previously Submitted

PLEASE STAMP & RETURN TO US

In re application of: M. Kawahito et al.

For: PROGRAM OPTIMIZATION METHOD AND COMPILER USING THE
PROGRAM OPTIMIZATION Serial No. 10/085,455, Docket No. JP920000420US Atty.: DWC

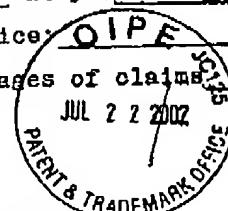
Received in the U.S. Patent & Trademark Office: OIPS

No. of pages of specification: _____ No. of pages of claims: _____

No. of sheets of drawings: _____

Declaration is attached to specification.

All fees are charged to our Account No. 09-0468



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: § July 17, 2002
M. KAWAHITO ET AL. § Docket No. JP920000420US1
Serial No.: 10/085,455 §
Filed: February 27, 2002 § Art Unit: 2122
For: **PROGRAM OPTIMIZATION** §
 METHOD AND COMPILER USING §
 THE PROGRAM OPTIMIZATION §
 METHOD §

Honorable Assistant Commissioner for Patents
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION - FILING DATE GRANTED

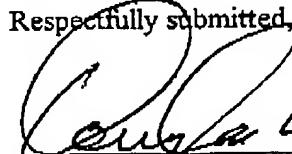
Sir:

Further to our response to the Notice to File Missing Parts of Application - Filing Date Granted, dated April 1, 2002, enclosed is the Assignment and Declaration which were just received from John C. Whaley. This is in addition to the original Declaration and Power of Attorney in compliance with 37 C.F.R. § 1.63 along with a copy of the Notice to File Missing Parts of Application - Filing Date Granted, mailed to you on June 26, 2002, copy enclosed.

Please charge any required fees to Deposit Account No. 09-0468.

If there are any issues remaining, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,



Douglas W. Cameron
Registration No. 31,596
Attorney for Applicants
(914) 945-3244

IBM Corporation
P. O. Box 218
Yorktown Heights, NY 10598

Response to Notice to File Missing Parts - File Date Granted
Copy of Notice to File Missing Parts
Declaration Under 37 CFR Section 1.47
15 Copies of Supporting Document and E-Mail Notes to:
Declaration & Assignment & Transmittal John C. Whaley
One Month Extension of Time
PLEASE STAMP & RETURN TO US

In re application of: M. Kawahito et al.
~~PROGRAM OPTIMIZATION METHOD AND COMPILER USING THE~~
For: PROGRAM OPTIMIZATION METHOD
Serial No.: 10/085,455 Docket No.: JP920000420US1 Atty.: DWC
Received in the U.S. Patent & Trademark Office:
No. of pages of specification: No. of pages of claims:
No. of sheets of drawings:
Declaration is attached to specification.

All fees are charged to our Account No. 09-0468

Response to Notice to File Missing Parts - File Date Granted
Copy of Notice to File Missing Parts
Declaration Under 37 CFR Section 1.47
15 Copies of Supporting Document and E-Mail Notes to:
Declaration & Assignment & Transmittal John C. Whaley
One Month Extension of Time
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In re application of: M. Kawahito et al.
~~PROGRAM OPTIMIZATION METHOD AND COMPILER USING THE~~
For: PROGRAM OPTIMIZATION METHOD
Serial No.: 10/085,455 Docket No.: JP920000420US1 Atty.: DWC
Received in the U.S. Patent & Trademark Office:
No. of pages of specification: No. of pages of claims:
No. of sheets of drawings:
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: §
M. KAWAHITO ET AL. § Docket No. **JP920000420US1**
Serial No.: 10/085,455 §
Filed: February 27, 2002 § Art Unit: 2122
For: **PROGRAM OPTIMIZATION** §
METHOD AND COMPILER USING §
THE PROGRAM OPTIMIZATION §
METHOD §

Honorable Assistant Commissioner for Patents
Washington, DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION - FILING DATE GRANTED**

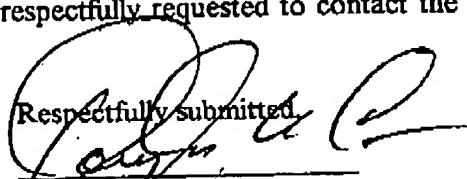
Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted, dated April 1, 2002, Applicants enclose herewith an executed original Declaration and Power of Attorney in compliance with 37 C.F.R. § 1.63 along with a copy of the Notice to File Missing Parts of Application - Filing Date Granted. Also included is a Declaration of Lucille Fourgeot, an employee of the IBM Corporation, which is the assignee of the instant application. The Declaration, which was made pursuant to 37 C.F.R. § 1.47(a), states that John C. Whaley would not sign the original Declaration after several attempts to get him to do so. Evidence supporting the statements in the Declaration is also enclosed.

A Petition for an Extension of Time pursuant to 37 CFR § 1.136 (a) is enclosed.

Please charge any required fees to Deposit Account No. 09-0468.

If there are any issues remaining, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number indicated below.



Respectfully submitted
Douglas W. Cameron
Registration No. 31,596
Attorney for Applicants
(914) 945-3244

IBM Corporation
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